

Message Text

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PAGE 01 STATE 092616

64

ORIGIN VO-03

INFO OCT-01 SCA-01 ISO-00 EA-06 SR-02 ORM-01 AF-06 ARA-06

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C O N F I D E N T I A L STATE 092616

VISAS

E.O. 11652:GDS

TAGS:CVIS, SREF, CB, VS

SUBJECT:GUIDANCE ON DOCUMENTATION OF REFUGEES FROM
INDOCHINA

1. USG CURRENTLY DEVELOPING AT HIGH LEVELS AS A MATTER
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PAGE 02 STATE 092616

OF PRIORITY DECISIONS REGARDING NUMBERS AND CATEGORIES OF

REFUGEES FROM VIET NAM AND CAMBODIA WHO MAY BE ADMITTED BY PAROLE OR OTHER MEANS INTO THE U.S. MEANWHILE, CONSULAR OFFICERS ARE INSTRUCTED TO ABIDE BY APPROPRIATE LAWS AND REGULATIONS GOVERNING ISSUANCE OF BOTH NIVS AND IVS WHEN CONSIDERING CASES OF SUCH REFUGEES.

2. IT HAS COME TO DEPARTMENT'S ATTENTION, THAT SOME CONSULAR OFFICERS HAVE IMPROPERLY DOCUMENTED REFUGEES AS B-2 TOURISTS AND F-2 AND J-2 DEPENDENTS. MOST SUCH REFUGEES CLEARLY LACK A RESIDENCE ABROAD TO WHICH THEY ARE ABLE TO RETURN. IN CERTAIN CASES REFUGEES HAVE BEEN INCORRECTLY DOCUMENTED WITH IMMIGRANT VISAS, OFTEN ON THE BASIS OF WAIVER OF DOCUMENTS REQUIRED TO ESTABLISH IMMIGRANT QUALIFICATION.

3. WITH REGARD TO NIV APPLICATION OF REFUGEES FROM INDOCHINA, CONSULAR OFFICERS ARE HEREBY INSTRUCTED IN MOST CASES TO SUSPEND ACTION UNTIL PARAMETERS OF USG

REFUGEE PROGRAM ARE DETERMINED AND IMPLEMENTATION INSTRUCTIONS ISSUED. NIV APPLICANTS ABLE TO ESTABLISH TO SATISFACTION OF CONSULAR OFFICER THAT THEY HAVE RESIDENCES IN THIRD COUNTRIES TO WHICH THEY CAN RETURN ARE, OF COURSE, NOT AFFECTED BY SUSPENSION ACTION.

4. WHILE CONSULAR OFFICERS SHOULD CONTINUE TO PROCESS IV APPLICATIONS, THEY ARE REMINDED OF NECESSITY TO OBTAIN ADDITIONAL SECONDARY EVIDENCE TO ESTABLISH FACTS IN QUESTION IN CASES WHERE PRIMARY DOCUMENTS REQUIRED BY 22 CFR 42.111 HAVE BEEN DETERMINED TO BE UNAVAILABLE.

5. ALL CASES WHICH CANNOT BE PROPERLY DOCUMENTED FOR IV OR NIV ISSUANCE SHOULD BE REPORTED TO THE DEPARTMENT WITH RELEVANT DETAILS. DEPT WILL USE SUCH REPORTS FOR PLANNING AND STATISTICAL PURPOSES.

6. FYI: CERTAIN CATEGORIES OF INDOCHINA REFUGEES ARE NOW BEING PAROLLED INTO U.S. UNDER 212(D)(5) OF INA. HOWEVER, THIS PROCEDURE CURRENTLY APPLIES ONLY TO THOSE REFUGEES BEING EVACUATED FROM BANGKOK AND SAIGON.
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PAGE 03 STATE 092616

7. DEPT WILL KEEP CONSULAR OFFICERS IN THE FIELD INFORMED OF PERTINENT DEVELOPMENTS. KISSINGER

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